

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion to Re-Examine the
Underlying Issues Involved in the Submetering
Discount for Mobile Home Parks and to Stay
D.01-08-040.

Rulemaking 03-03-017
(Filed March 13, 2003)

Order Instituting Investigation on the
Commission's Own Motion to Re-Examine the
Underlying Issues Involved in the Submetering
Discount for Mobile Home Parks and to Stay
D.01-08-040.

Investigation 03-03-018
(Filed March 13, 2003)

Robert Hambley, for Himself and, on Behalf of
the Residents of Los Robles Mobilehome Park,

Complainant,

vs.

Hillsboro Properties, a California Limited
Partnership, and the City of Novato,

Defendants.

Case 00-01-017
(Filed January 14, 2000)

ASSIGNED COMMISSIONER'S RULING AND SCOPING MEMO

The Commission's order initiating these proceedings divided them into two phases. Phase 1 would identify the components of the cost to the utility, to directly serve mobile home park (MHP) customers, that are avoided when the

customer is served through a master meter. This necessarily requires identifying energy-related cost components incurred by the master meter MHP owner that are not covered by the MHP discount. Phase 2 would address other matters related to the MHP discount. The order assumed that Phase 1 would require no evidentiary hearings. At the Phase 1 prehearing conference (PHC) held on April 15, 2003, the parties said that they believe evidentiary hearings will be necessary. However, it is unclear what the specific disputed issues of fact will be, what time will be necessary to prepare for hearings, and how many hearing days will be needed. As a result, a workshop will be held to develop a master list of utility avoided cost components, and energy-related cost components not covered by the MHP discount, that all parties agree with. Proposed components that are in dispute will also be identified. A second PHC will then be held to determine whether there are material issues of fact in dispute that require hearings, and to set a schedule for the rest of Phase 1. Subsequent to Phase 1, a PHC will be held addressing Phase 2.

In issuing Rulemaking (R.) 03-03-017 and Investigation (I.) 03-03-018, the Commission did not specify a preliminary category as required by Rule 6(c)(2) of the Commission's Rules of Practice and Procedure. Having considered the matter further after the PHC, they will be categorized as quasi-legislative because they are designed to set policy and rules applicable to electric and gas utilities, and master metered mobile home parks.

The schedule for Case (C.) 00-01-017 will be addressed by a separate ruling.

Pursuant to Public Utilities Code Section 1701.1(b), a scoping memo shall be issued in this proceeding.

Therefore, **IT IS RULED** that:

1. The assigned Commissioner is Geoffrey F. Brown.
2. The assigned Administrative Law Judge (ALJ) is Jeffrey P. O'Donnell.
3. R.03-03-017 and I.03-03-018 are categorized as quasi-legislative. This category ruling may be appealed by any party pursuant to Rule 6.4(a).
4. The issues to be addressed in Phase 1 are:
 - The components of the cost to the utility to directly serve MHP customers that are avoided when the customer is served through a master meter.
 - Energy-related cost components incurred by the master meter MHP owner that are not covered by the MHP discount.
5. The schedule for Phase 1 is as follows:
 - May 6, 2003: Parties serve lists of utility avoided cost components, lists of energy-related cost components not covered by the MHP discount, diagrams of the facilities used by the utilities to serve directly metered MHP customers, and diagrams of submetered MHP systems. A copy of the lists and diagrams shall also be served on Eric Green of the Commission's Energy Division.
 - May 14, 2003: Phase 1 workshop. The workshop will be run by Green, who will prepare a draft workshop report, circulate it for comment, and then prepare a final report. The schedule for comments on the draft report will be determined at the workshop. Green's phone number is (415) 703-5560. His e-mail address is EG1@cpuc.ca.gov.
 - June 11, 2003: Final workshop report filed and served. Any party wishing to file written comments on the final workshop report may request an opportunity to do so at the second PHC.

- June 19, 2003: Second PHC on Phase 1 to determine the need for hearings, and a schedule for the rest of Phase 1.
6. The workshop and the second PHC will be held at the Commission Courtroom, 505 Van Ness Avenue, San Francisco, California. The workshop will begin at 9:30 a.m., and the PHC will begin at 10:00 a.m.
 7. The schedule specified herein is subject to change.
 8. After Phase 1 is completed, a PHC will be held to address the balance of these proceedings.
 9. Case 00-01-017 has previously been determined to be adjudicatory.
 10. ALJ O'Donnell is the presiding officer for C.00-01-017.
 11. The schedule for Case (C.) 00-01-017 will be addressed by a separate ruling.
 12. Pursuant to Rule 7 of the Commission's Rules of Practice and Procedure, ex parte communications are allowed with regard to R.03-03-017 and I.03-03-018. Ex parte communications are prohibited regarding substantive issues in C.00-01-017.

Dated April 22, 2003, at San Francisco, California.

/s/ GEOFFREY F. BROWN

Geoffrey F. Brown
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling and Scoping Memo on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated April 22, 2003, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.